

**MINUTES OF REGULAR MEETING
OF
GREENSBORO PLANNING BOARD
FEBRUARY 21, 2007**

The Greensboro Planning Board met in regular session on Wednesday, February 21, 2007 at 1:08 p.m., in the City Council Chamber, 2nd floor, Melvin Municipal Office Building. Board members present were: Chair Dick Hall, Tim Bryson, Joel Landau, Stephen Marks and Daron Sellars. Planning staff members present were Planning Director Dick Hails, Alec MacIntosh, Steve Galanti, Jimmy Person and Nicole Ward. Water Resources staff present were Michael Borchers and Kenny McDowell.

PRESENTATION OF COMPREHENSIVE PLAN.

Mr. Kirkman presented the Comprehensive Plan, information about its implementation, and the Planning Board's new role as a result of the elimination of the Monitoring Committee. The comments made related to Comp Plan Amendments will be added to the staff report for review by City Council. Hopefully members of the Planning Board will have a chance to visit the sites, which will help familiarize them with what is being requested. Another Comp Plan presentation will occur prior to the next regularly scheduled Planning Board meeting on March 21, 2007.

Chair Hall called the Planning Board into session at 2:02 p.m.

APPROVAL OF MINUTES OF THE JANUARY 17, 2007 REGULAR MEETING.

Mr. Landau moved approval of the minutes as written, seconded by Mr. Bryson. The Board voted 5-0 in favor of the motion. (Ayes: Hall, Bryson, Landau, Marks, Sellars. Nays: None.)

PUBLIC HEARINGS:

A. ORDINANCE AMENDING SEVERAL SECTIONS OF THE GREENSBORO DEVELOPMENT ORDINANCE TO REVISE THE FLOOD DAMAGE PREVENTION REGULATIONS AND MAP. (RECOMMENDED)

Kenny McDowell from the Department of Water Resources presented the changes to the ordinance. He stated that there were several changes to the definitions and explained the new terminology. He also stated that the updated Flood Maps for the Cape Fear River Basin were completed in 2005. Then they went through a formal appeal protest period with public notification by FEMA in December of 2005 and December of 2006. The protest period has ended, the base flood elevations have been determined and FEMA has considered those final. They are to be effective by June 18, 2007. Greensboro must adopt the floodplain regulations referencing the new maps, the base flood elevations, and making our ordinance FEMA compliant by the June 18, 2007.

In response to a question from Mr. Marks, Mr. McDowell said they were going to publish the notification for the City Council public hearing in the newspaper and that there will be a full set of maps in the Clerk's Office. The maps are also available on the North Carolina Flood Mapping Program Website.

Gary Wolf, Esq., 305 Pisgah Church Road, Suite 2-C, (representing Mellis Investments US, Inc., that owns property that was impacted by the maps), requested that the City of Greensboro and the State of North Carolina fix the undersized box culverts installed under the highway.

Mr. Wolf then gave the Board an idea of the consequence of these new maps to his clients' property.

Mr. Marks moved that the Board recommend the amendments to the Flood Damage Prevention Regulations and map to City Council, seconded by Mr. Bryson. The Board voted 5-0 in favor of the motion. (Ayes: Hall, Bryson, Landau, Marks, Sellars.)

B. ORDINANCE AMENDING SECTION 30-2-2.10, SETBACK DEFINITION, AND TABLE 30-4-6.1, AGRICULTURAL AND SINGLE FAMILY DISTRICTS DIMENSIONAL REQUIREMENT TO DELETE THE SETBACK FROM CENTERLINE FOR LOCAL, SUB-COLLECTOR AND COLLECTOR STREETS. (RECOMMENDED)

Mr. Hails stated that this request is from a City Council member and has been having an impact on residential developments where there are fairly narrow streets. The current ordinance has requirements for setbacks from both the right-of-way line and the centerline of the street, and sometimes an applicant can address one and not the other.

Mr. Galanti stated that this text amendment amends the dimensional standards for the Agricultural and Single Family Districts by removing the centerline setback for local, sub-collector and collector streets. The dimensional standards will remain unchanged for minor thoroughfares and major thoroughfares. The setback will be measured from the future right-of-way line.

At the Public Hearing there was no one present to speak in support or in opposition.

Mr. Bryson moved that the Board recommend the amendment to Section 30-2-2.10 and Table 30-4-6-1 to City Council, seconded by Mr. Landau. The Board voted 5-0 in favor of the motion. (Ayes: Hall, Bryson, Landau, Marks, Sellars. Nays: None.)

UNIFIED DEVELOPMENT PLANS:

A. VILLAGE AT NORTH ELM EXPANSION - PISGAH CHURCH ROAD - 23.22-ACRES - FOR KOURY CORPORATION. (APPROVED)

Mr. Galanti stated that several months ago, the Planning Board reviewed and approved the Unified Development Plan (UDP) for the remainder of the project. The developer has added additional land to the project and they need to add this land to the UDP. The UDP is the legal document that is recorded in the Register of Deeds Office that establishes the development standards for a Planned Unit Development (PUD). The Technical Review Committee (TRC) has reviewed this UDP and found that it complies with the requirements and recommends its approval.

Mr. Landau moved approval of the Unified Development Plan for the Village at North Elm, seconded by Mr. Sellars. The Board voted 5-0 in favor of the motion. (Ayes: Hall, Bryson, Landau, Marks, Sellars. Nays: None.)

B. SOUTHPROPS - SOUTH AYCOCK STREET AND COBB STREET - 1.18 ACRES - FOR COLLEGE PARK PLACE COMPANY. (APPROVED)

Mr. Galanti stated that this is the Unified Development Plan for Southprops located at the corner of South Aycock Street and Cobb Street. The site is zoned CD-PUDI and the UDP sets up the development standards for that project. The TRC has reviewed this UDP and found that it complies with the requirements and recommends its approval.

Tony Collins, 610 Eugene Court, Suite 100, stated that there will be 57 off-street parking spaces and that the retail use will be "walk-up retail" designed specifically for students that live in the area. Parking spaces will be assigned to the apartments, there will not be any parking reserved for retail, and there will be some visitor spaces assigned.

In response to a question from Chair Hall, Mr. Hails said that the Comp Plan shows this site as Mixed Use-Residential. He also stated that final approval of UDP's comes from the Planning Board.

Mr. Bryson moved approval of the Unified Development Plan for Southprops, seconded by Mr. Sellars. The Board voted 5-0 in favor of the motion. (Ayes: Hall, Bryson, Landau, Marks, Sellars. Nays: None.)

C. SEBASTIAN VILLAGE - 1402 EAST WASHINGTON STREET - 5.036 ACRES - FOR CENTER 175, LLC - REVISED UDP REQUESTING MINOR REDUCTION IN OFF-STREET PARKING. (APPROVED)

Mr. Galanti stated that this is a revised Unified Development Plan for Sebastian Village. The UDP was approved by Planning Board at last month's meeting. The developer is requesting a minor modification to the parking standards. In UDP's, the ordinance calls for minimum parking requirements from the Development Ordinance. The Ordinance has a provision that the Planning Board, in conjunction with the TRC, can grant a modification to those standards if they can make the finding that the design of the project has internal sidewalks, available mass transit, and alternate means of access. The developer is offering to provide bike racks so that the residents of this community can bike to their destination. As a result, the applicant is requesting a five space parking modification.

Chair Hall stated that in the past that Mr. Rhodes has concerns about on-street parking on the narrow streets. He did not see how providing bike racks would decrease the number of cars on streets and that this project would further exacerbate on-street parking in that area.

Mr. Marks stated that it seems that there is a shortage of parking spaces and they are trying to get an adjustment to fit the proposed building layout. He questioned the number of provided parking spaces being sufficient since with 60 3-bedroom units this developer is only giving them two parking spaces each and; in this day and age, most college kids have a car.

Mr. Hails stated that this site is on an existing GTA bus route and that A&T has agreed to join the new HEAT bus service. The ordinance provisions focus more on internal need for parking and staff noted that there are more internal sidewalks than required by ordinance and multiple bike racks. Staff believes there are other ways of encouraging non-auto trips both internal and external to the site. He also stated that staff has determined that public streets north and east of this site can absorb the parking since there is available on-street parking.

Chair Hall stated that he doubts that buses and bicycle racks would discourage students from bringing their cars and there is going to be a problem. He suggested that staff help the applicant find five parking spaces inside this project by redesigning the layout.

Derek Allen, Esq., 230 North Elm Street, representing the developers of this site, stated that this project has been reviewed by a number of different public bodies and that the museum, which is the old Sebastian House, requires five additional spaces.

Mr. Allen also stated that Housing & Community Development had requested that the developer provide fewer parking spaces and the applicant told them that they just could not do that, because the ordinance requires a minimum number. Redesign is not an option since the site is ready and the engineering already done.

Mr. Allen stated that his client is currently working to provide additional parking opportunities in that

area.

Mr. Landau also raised parking concerns, even with bike racks.

Mr. Marks left the meeting at 3:20 p.m.

Mr. Landau stated that even though the Planning Board is approving the revised UDO, they have serious reservations about the parking issue. But due to the long period of time the developer has been involved in this and other meetings they have gone through already, that we are approving it anyway.

Mr. Bryson moved approval of the revised Unified Development Plan for Sebastian Village, seconded by Mr. Landau. The Board voted 5-0 in favor of the motion. (Ayes: Hall, Bryson, Landau, Marks, Sellars. Nays: None.)

D. GRANVILLE OAKS - WEST CORNWALLIS DRIVE - 3.203 ACRES - OR GARY JOBE BUILDERS, INC. (APPROVED)

Mr. Galanti stated that this Unified Development Plan for Granville Oaks, is zoned CD-PUDI, and located on the north side of West Cornwallis Drive, west of North Elm Street. This UDP adds additional land to the previous UDP and establishes the development standards for the project. The TRC has reviewed the UDP and found that it complies with the requirements and recommends its approval.

Mr. Bryson moved approval of the Unified Development Plan for Granville Oaks, seconded by Mr. Landau. The Board voted 5-0 in favor of the motion. (Ayes: Hall, Bryson, Landau, Marks, Sellars. Nays: None.)

ANNEXATION PETITION:

A. ORDINANCE ANNEXING THE PHILLIPS, EVERETT, SIMMONS AND MICHAUX PROPERTY AT 3313-3325 HORSE PEN CREEK ROAD - 15.61-ACRE CONTIGUOUS ANNEXATION - REGULAR PETITION. (RECOMMENDED)

Mr. Galanti stated that this item is a recommendation for the annexation of the property of Phillips, Everett, Simmons and Michaux located on the north side of Horse Pen Creek Road and includes the right-of-way for Horse Pen Creek Road from approximately about 200 feet west of Battleground westward to the existing City limits. The total area being annexed contains approximately 15.6 acres. This site abuts the existing City Limits along portions of its southern, eastern and western sides. City water is available in Horse Pen Creek Road and sanitary sewer service is available to this property. This site is currently served by County Fire Station No. 9 located in Summerfield, and the City can provide full services from City Station No. 21 located on Drawbridge Parkway. The Police Department has determined that they can provide service with low difficulty and will need an additional .01 officer when this project is built out. The other City services can be provided and involve a travel distance equal to that necessary to provide service to the areas abutting this site that have already been annexed. The TRC has reviewed this annexation and recommends its approval.

Mr. Landau moved that the Board recommend approval of this annexation to City Council, seconded by Mr. Bryson. The Board voted 5-0 in favor of the motion. (Ayes: Hall, Bryson, Landau, Marks, Sellars. Nays: None.)

EASEMENT RELEASES:

- A. RESOLUTION AUTHORIZING RELEASE OF ALL OF A 15-FOOT STORM SEWER EASEMENT RUNNING THROUGH THE PROPERTY AT 2700 VANSTORY STREET. (APPROVED)**
- B. RESOLUTION AUTHORIZING RELEASE OF ALL OF A 20-FOOT UTILITY EASEMENT RUNNING THROUGH THE NORTHERN AREA OF THE GRAMERCY PARK WEST SUBDIVISION. (APPROVED)**
- C. RESOLUTION AUTHORIZING RELEASE OF ALL OF A 20-FOOT SANITARY SEWER EASEMENT RUNNING THROUGH THE PROPERTY AT 2700 VANSTORY STREET. (APPROVED)**
- D. RESOLUTION AUTHORIZING RELEASE OF A 5-FOOT PORTION OF A 10-FOOT UTILITY EASEMENT ON THE SOUTH SIDE OF THE PROPERTY AT 505 PLEASANT DRIVE. (APPROVED)**
- E. RESOLUTION AUTHORIZING RELEASE OF ALL OF A 10-FOOT SOUTHSIDE UTILITY EASEMENT AND A 20-FOOT EASTSIDE UTILITY EASEMENT ON THE PROPERTY LOCATED AT 1801 STRATHMORE DRIVE. (APPROVED)**

Mr. Person stated that for the easement releases, Planning had contacted all the appropriate utility companies and they have agreed to release the easements or the portions of the easements. Two requests involve the property owned by Koury on Vanstory Street and Veasley Street, where a multiplex theatre is underway. The location of those utilities as previously recorded, are no longer needed at those locations since they will be rerouted.

The next request is to release all of a 20-foot utility easement in Gramacy Park. The single family subdivision is currently underway and, with the lot layout, does not need the easement as previously recorded.

The next request is to release a 5-foot portion of a utility easement at 505 Pleasant Drive. This area currently contains an existing shed which the owner wants to replace. There are underground power lines in the easement, but they are located in such a way that shed will not interfere with them. The power company has agreed to release the portion that the owner has requested.

The final item is a request to release all of the 10-foot southside utility easement at 1801 Strathmore Drive. The townhouse project which is underway does not need the easement as it is currently located and previously recorded.

Mr. Landau moved approval of requested easement releases, seconded by Mr. Sellars. The Board voted unanimously 5-0 in favor of the motion. (Ayes: Hall, Bryson, Landau, Marks, Sellars. Nays: None.)

ITEMS FROM THE DEPARTMENT:

A. BOARD'S LETTER CONCERNING ROLE IN COMP PLAN AMENDMENTS.

Mr. Hails presented the letter that the Board authorized the Chairman to prepare, sign and send to the Mayor, requesting that the Planning Board be able to make comments on Comp Plan Amendments. The City Manager's Office has approved the request but, we are in the process of getting a written verification.

Mr. Hails stated that the Planning Board would meet at 1 o'clock for the March meeting to continue discussions on the Comp Plan.

ITEMS FROM THE CHAIRMAN:

Chair Hall requested that an item be placed on the Chairman's portion of the March agenda to discuss assembling the Planning Board for a visit to the student housing developments around town.

APPROVAL OF ABSENCES:

Mr. Landau moved approval of the absences of Mr. Fox, Mr. Rhodes, and Ms. Speight-Buford, seconded by Mr. Sellars. The Board voted 5-0 in favor of the motion. (Ayes: Hall, Bryson, Landau, Marks, Sellars. Nays: None.)

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The meeting was adjourned at 3:59 p.m.

Respectfully submitted,

Richard W. Hails, AICP
Planning Director

RWH/jd.ps